

REMARKS

This is a response to a final Office Action mailed November 2, 2007. No claims have been amended in this paper. Claims 5-7 remain pending. Pursuant to 37 C.F.R. § 1.111, Applicants respectfully request reconsideration of the application.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(e)

The Examiner rejected claims 5-7 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,697,638 to Larsson et al (Larsson). Of the rejected claims, claims 5, 6 and 7 are each independent claims. Applicant respectfully traverses these Section 102 rejections.

Claim 5

Claim 5, as amended, recites sending confirmation of an authentication to a wireless network authority, ending communication between a personal mobile phone and an embedded phone, and, after ending the communication, opening a communication session with the wireless network based on the sent confirmation.

In contrast, Larsson, at, *e.g.*, FIGS. 1-3 and col. 3, lines 23-44 teaches that, in a basic system, at a step 300, a phone 100 and a vehicle-mounted part 160 ("car kit") come within range of each other. At step 310, the car kit 160 and phone discover each other using a low power communication scheme that is different than the communication scheme used by the cellular network. Step 310 makes at least one of the car kit 160 and/or the handheld phone 100 aware of one another. At step 320, the car kit and handheld phone exchange information. This exchange of information between the car and phone determines information which allows them to communicate. At step 330, the car kit and the phone, in communication with one another, carry out communication with the cellular system. In a preferred embodiment, the communication with the cellular system includes transceiver operations by the car kit. After the communication is finished, communication needs to revert. Step 340 shows a reversion, in which the car kit and the hand held phone lose communication with one another.

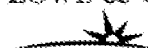
As such, Larsson teaches that during the time at which the tandem of phone 100 and kit 160 are in communication with the cellular system (*i.e.*, in a communication session with a



wireless network), the phone 100 and kit are in communication with each other. Only at step 340, “after the communication is finished,” do the phone 100 and kit 160 end communication with each other.

In the instant Office Action, the Examiner, in characterizing Applicant’s above argument, states that “[t]he applicant discloses a system wherein a car phone adopts and uses the service plan of a phone that is close by. In a similar way, Larsson also discloses a system that adopts and uses the plan of a phone close by. ... In a similar way, the ending of a communication session does not really constitute an innovation. Starting and ending a communication session is a common knowledge and in no way can be considered a patentable innovation. Larsson discloses the limitations of ending communication.” Applicant’s attorney respectfully submits that the Examiner’s characterization of Applicant’s argument is incorrect or, at least, incomplete. Applicant is not arguing that ending a communication is, in and of itself, innovative. However, according to the limitations of claim 5, the embedded phone, using information identifying the mobile phone received during communication with the mobile phone, is able to communicate with the wireless network associated with the mobile phone after the embedded phone and mobile phone have ceased communicating with one another. Such functionality is useful for at least the reason that power, battery or otherwise, need not be consumed by the mobile phone during use of the embedded phone.

Moreover, simply because Larsson teaches that the car kit 160 can emulate the handset (mobile phone) 100 does not, *ipso facto*, mean that the car kit, while emulating the handset is not simultaneously communicating with the handset. In fact, not only does Larsson fail to teach or suggest, expressly or otherwise, that the car kit and handset cease communication with one another during car-kit emulation, several parts of the Larsson reference suggest, at least, otherwise. For example, referring to FIG. 3, and col. 3, lines 41-44, Larsson teaches “[a]fter the communication is finished, communication needs to revert. Step 340 shows a reversion, in which the car kit and the hand held phone lose communication with one another.” Later, at col. 7, lines 35-40 Larsson, in the context of discussing car-kit-emulation mode, states “[s]tep 340 in FIG. 3 is controlled out by the car kit periodically polling the handset over the short range interface. So long as the handset responds to the polls, no changes are made. However, when the car kit determines that emulation has terminated for one reason or another, e.g., the car phone [*sic*] does



not respond, then normal communication is re-enabled.” While in the previous passage it is stated that if the *car phone* “does not respond, then normal communication is re-enabled,” Applicant’s attorney respectfully submits that, from the context of the passage, it is clear that the term “car phone” was erroneously used in place of “handset.” As such, it seems clearly the case that, even during emulation mode, the car kit 160 and handset 100 remain in communication with one another in contradistinction to the limitations recited in claim 5. Consequently, Larsson fails to teach or suggest the limitations required by Applicant’s claim 5.

Claims 6 and 7

Claims 6 and 7 are patentable for reasons at least similar to those discussed above with reference to claim 5.



CONCLUSION

Applicants assert that currently amended, pending claims 5-7 are in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions, the Examiner is invited to contact the Applicant's attorney listed below. **If the Examiner disagrees with the positions advanced herein, the Applicant respectfully requests that the Examiner, prior to issuing an action rejecting any of the pending claims, contact the undersigned to arrange a telephonic discussion of the application.**

Respectfully submitted,

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